



STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	
	:	
LYNN WINBERRY, R.N.	:	FINAL ORDER
License # 26NR 03530000	:	OF DISCIPLINE
	:	
	:	
TO PRACTICE NURSING IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a registered professional nurse in the State of New Jersey, and has been a licensee at all times relevant hereto.
2. Respondent indicated on her 2014 renewal application that she would not complete required continuing education for the 2012-2014 licensing cycle by May 31, 2014.
3. Respondent was asked by the Board's Executive Director in letters dated July 9, 2014 and September 4, 2014 to submit documentation of completion of all continuing education courses

required for the 2012-2014 licensing cycle and to provide payment of a civil penalty in the amount of \$250, in the form of a certified check or money order, for the failure to comply with N.J.A.C. 13:37-5.3.

4. Respondent submitted payment of \$250 in satisfaction of the civil penalty, but she did not provide documentation of thirty (30) contact hours of appropriately accredited continuing education as defined pursuant to N.J.A.C. 13:37-5.3.

CONCLUSIONS OF LAW

1. Respondent's failure to comply with N.J.A.C. 13:37-5.3 subjects respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on May 14, provisionally suspending respondent's nursing license and memorializing payment of the \$250 civil penalty. A copy of the Order was served upon respondent by certified and regular mail at her address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence

supporting respondent's request for consideration and reasons therefor.

Respondent replied to the Provisional Order, and forwarded by facsimile documentation of belated completion of thirty (30) contact hours of required nursing continuing education, including documentation of a one hour course in organ donation. Accordingly, respondent has belatedly complied with continuing education requirements for the 2012-2014 licensing cycle, and suspension is no longer applicable.

ACCORDINGLY, IT IS on this 18th day of June, 2015,
ORDERED that

1. Payment of the \$250 civil penalty for the violation of N.J.A.C. 13:37-5.3 is hereby memorialized by this order. As respondent has admitted to the violation and satisfied the penalty, no further payment is required.

2. Continuing education courses with a date of completion of June 16, 2015 or earlier, submitted in belated satisfaction of requirements for the 2012-2014 licensing cycle, shall not be eligible for use in satisfying respondent's continuing education obligation for the June 1, 2014-May 31, 2016 licensing cycle.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy PLD APN
Patricia Murphy, PhD, APN
Board President